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700. UNEMPLOYMENT INSURANCE BASED ON SERVICE FOR THE UNITED STATES

Two Federal unemployment insurance programs—one for the Federal civilian employees and the other for ex-servicemen—are provided by title XV of the Social Security Act.

705 Unemployment Compensation for Federal Civilian Employees and for Ex-Servicemen

Under agreements entered into by the Secretary of Labor and the State employment security agencies, the Federal programs of unemployment compensation for Federal employees and for ex-servicemen are administered by the State agencies as agents of the United States Government. The Secretary also entered into agreements with the Puerto Rico Bureau of Employment Security and the Virgin Islands Employment Security Agency under which Federal unemployment compensation benefits have been paid in accordance with the applicable provisions of the District of Columbia Unemployment Compensation Act. Under an amendment to sections 1502 and 1504 of title XV, effective for claims filed on or after January 1, 1966, provisions of the Puerto Rico unemployment insurance law will apply to Federal civilian and military wages assigned to Puerto Rico. The Virgin Islands Employment Security Agency will continue to process claims based on Federal civilian and military wages assigned to it under the provisions of the District of Columbia unemployment compensation law.

Federal civilian and military wages are assigned to the appropriate State agency in accordance with Federal law. Thereafter, eligibility for unemployment insurance benefits and the amount of benefits paid are determined under the applicable State law. Thus, the claims of Federal civilian employees and ex-servicemen are subject to the same eligibility and disqualification provisions as those filed by individuals claiming benefits under a State unemployment insurance law.

*705.01. Unemployment compensation for Federal employees (UCFE).—*An unemployed Federal civilian worker's eligibility is determined under the unemployment insurance law of the State in which he last worked in Federal civilian employment, or subsequent private covered employment in the State of his residence or, if employed outside the United States, under the law of the State in which he resides when filing his claim. If eligible, he is entitled to unemployment benefits in the amounts and under the conditions provided by the State unemployment insurance law. Findings pertaining to Federal civilian employment, wages, and reasons for separation are furnished, upon request, to State agencies by the Federal employing agencies.

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These findings when made in accordance with regulations and procedures prescribed by the Secretary of Labor, are final, conclusive, and binding upon State agencies. Each State thereafter determines eligibility for benefits under the provisions of its own unemployment insurance law.

705.02. *Unemployment compensation for ex-servicemen (UCX).*—An ex-serviceman's eligibility for UCX benefits is determined under the unemployment insurance law of the State in which he first files a claim which establishes a benefit year after his most recent separation from active military service. All qualifying Federal military service which occurred during the State's base period is considered. For benefit purposes, an ex-serviceman's wages are determined on the basis of his pay grade at separation, using a schedule issued by the Secretary of Labor which specifies the applicable remuneration for each pay grade. Benefits are not payable during periods covered by lump-sum military accrued leave or mustering-out pay, nor when the ex-serviceman is eligible to receive subsistence or educational assistance allowances from the Veterans' Administration.

To qualify for UCX purposes, an ex-serviceman's period of active Federal military service must total 90 or more continuous days unless he was separated from service totaling less than 90 days because of an actual service-incurred injury or disability. The ex-serviceman must have been discharged or released under conditions other than dishonorable; he must not have received a bad conduct discharge; and, if an officer, he must not have resigned for the good of the service.